

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Judge Robert W. Schroeder III

VIRNETX INC., et al

V.

APPLE INC.

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CIVIL NO. 6:12cv855

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MINUTES FOR THIRD DAY OF TRIAL  
HELD BEFORE JUDGE ROBERT W. SCHROEDER III  
APRIL 4, 2018

OPEN: 8:51 am

ADJOURN: 5:24 pm

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ATTORNEYS FOR PLAINTIFFS: See Attorney Sign In Sheet from April 2, 2018

ATTORNEYS FOR DEFENDANT: See Attorney Sign In Sheet from April 2, 2018

LAW CLERK: Aisha Haley

COURTROOM DEPUTY: Betty Schroeder

COURT REPORTER: Kelly Polvi

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8:51 am Outside the presence of the jury, Mr. Cassady argues their Offer of Proof (dkt. #682); Court responds; Mr. Arovas responds; Court responds

8:56 am Jury seated

8:57 am Mr. Arovas continues with cross examination of Dr. Jones

9:18 am Mr. Curry begins re-direct examination of Dr. Jones

9:21 am Objection by Mr. Arovas; sustained

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9:22 am Objection by Mr. Arovas; sustained

9:30 am	Objection by Mr. Arovas; Court - rephrase the question
9:34 am	Objection by Mr. Arovas; sustained
9:38 am	Mr. Arovas begins re-cross examination
10:15 am	Mr. Curry continues with re-direct examination
10:20 am	Mr. Arovas continues with re-cross examination
10:26 am	Mr. Curry continues with re-direct examination
10:28 am	Mr. Arovas continues with re-cross examination
10:30 am	Objection by Mr. Curry; bench conference
10:31 am	Mr. Arovas continues
10:33 am	Jury out
10:34 am	Recess
10:53 am	Jury seated
10:54 am	Mr. Cassady and Mr. Curry move to mark exhibits used with Dr. Jones as demonstratives; no objection by Mr. Arovas
10:55 am	Mr. Cassady calls Edward Gif Munger by deposition testimony
11:20 am	Mr. Cassady calls Kendall Larsen; witness sworn in
11:21 am	Mr. Cassady begins direct examination of Kendall Larsen
12:14 pm	Recess
1:30 pm	Outside the presence of the jury, Mr. Desmarais discusses a MIL previously ruled on; Mr. Cassady responds; Court responds
1:35 pm	Jury seated
1:35 pm	Mr. Cassady continues with direct examination of Mr. Larsen
1:41 pm	Objection by Mr. Desmarais; Mr. Cassady responds; Court responds
1:42 pm	Bench conference

1:43 pm	Mr. Cassady continues with direct examination
1:51 pm	Bench conference
1:54 pm	Mr. Desmarais beings cross examination of Mr. Larsen
2:41 pm	Bench conference
2:41 pm	Mr. Desmarais continues with cross examination
2:42 pm	Objection by Mr. Cassady; bench conference
2:44 pm	Mr. Desmarais continues with cross examination
2:59 pm	Objection by Mr. Cassady; bench conference
3:01 pm	Jury out
3:02 pm	Outside the presence of the jury, bench conference continues
3:11 pm	Recess
3:22 pm	Jury seated
3:23 pm	Mr. Desmarais continues with cross examination of Mr. Larsen
3:24 pm	Objection by Mr. Cassady; Mr. Desmarais responds; Court responds
3:32 pm	Objection by Mr. Cassady
4:18 pm	Objection by Mr. Cassady; Mr. Desmarais responds; Court - move on
4:32 pm	Objection by Mr. Cassady; Court responds
4:34 pm	Mr. Desmarais marks the demonstrative exhibits
4:35 pm	Mr. Cassady begins re-direct examination of Mr. Larsen
4:38 pm	Objection by Mr. Desmarais; bench conference
4:40 pm	Mr. Cassady continues with re-direct examination
4:44 pm	Objection by Mr. Desmarais; Court - rephrase the question
4:47 pm	Objection by Mr. Desmarais; Court - rephrase the question

4:56 pm	Objection by Mr. Desmarais; Court - rephrase the question
4:57 pm	Objection by Mr. Desmarais; Court - rephrase the question
4:59 pm	Bench conference
5:05 pm	Mr. Desmarais begins re-cross examination of Mr. Larsen
5:14 pm	Objection by Mr. Cassady; Court - just ask the question
5:20 pm	Jury out
5:21 pm	Outside the presence of the jury; bench conference
5:24 pm	Recess